



AF / ZW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:)	
)	
Balmer et al.)	Examiner: Fischer, Justin R.
)	
Serial No.: 09/977,170)	Art Unit: 1733
)	
Filed: October 12, 2001)	Confirmation No.: 2857
)	
For: JASPE PATTERN FLOORING)	Docket No.: 0025

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Mail Stop AF
Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

Applicant hereby **appeals** to the Board of Patent Appeals and Interferences from the last decision of the Examiner, dated January 21, 2005, finally rejecting claims 1, 2, 6 to 8, 17 to 22, 24 to 26, 29, 40, 42, 44, 46 and 48 to 55.

A timely response to the final rejection is being filed concurrently herewith, on April 8, 2005.

Enclosed is a check for the \$500.00 fee for filing this Notice of Appeal (37 CFR 1.17(b)). Please charge any additional fees due or refund any excess fees to Deposit Account No. 01-2400.

04/12/2005 EFLORES 00000068 09977170

01 FC:1401 500.00 OP

Appln. No. 09/977,170
Notice of Appeal Dated April 8, 2005
Reply to Final Office Action Dated January 21, 2005

Respectfully submitted,

4/8/05

Date

Douglas E. Winters

Douglas E. Winters
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Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22216-1450 on: 4/8/05.

April A. Fiedler

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO
THE BOARD OF PATENT APPEALS AND INTERFERENCES (Large Entity)**

Docket No.
0025

In Re Application Of: **Balmer et al.**

APR 11 2005

Application No. 09/977,170	Filing Date 10/12/2001	Examiner Fischer, Justin R.	Customer No. 00112	Group Art Unit 1733	Confirmation No. 2857
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Invention: **JASPE PATTERN FLOORING**

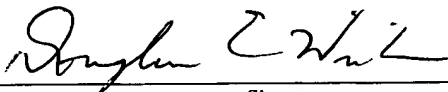
COMMISSIONER FOR PATENTS:

Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner dated **January 21, 2005** finally rejecting Claim(s) **1,2,4,6-8,17-22,24-26,29,40,42,44,46, and 48-55**

The fee for this Notice of Appeal is: **\$500.00**

- A check in the amount of the fee is enclosed.
- The Director has already been authorized to charge fees in this application to a Deposit Account.
- The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. **012400**
- Payment by credit card. Form PTO-2038 is attached.

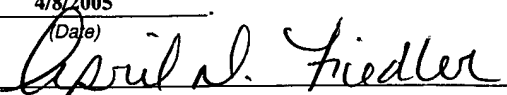
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.



Signature

Dated: **April 8, 2005**

**Douglas E. Winters
Reg. No. 29,990**

<p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on</p> <p align="center"><u>4/8/2005</u> (Date)</p> <p align="center"> <i>Signature of Person Mailing Correspondence</i></p> <p align="center">April D. Fiedler <i>Typed or Printed Name of Person Mailing Correspondence</i></p>
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CC: